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Chairman: Ms. Hachani ..... (Tunisia)

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The meeting was called to order at 3.15 p.m.

Agenda item 108: Elimination of racism and racial discrimination (*continued*) (A/53/18, A/53/255, A/53/256, A/53/269, A/53/305 and A/53/489)

Agenda item 109: Right of peoples to self-determination (*continued*) (A/53/131–S/1998/435, A/53/205–S/1998/711, A/53/280 and A/53/338)

1. **Mr. Al-Humaimidi** (Iraq) said that the principle of equal rights and self-determination of peoples was enshrined in Article 1 of the Charter of the United Nations, thereby demonstrating the close relationship between peace and security and the right to self-determination; in other words, without that right there could be neither peace nor security. Moreover, the right to self-determination was related to the right of peoples to development. Those two rights were an essential basis for peace and security throughout the world. Iraq, which had achieved independence after a long struggle, understood the importance of self-determination and its close connection, with freedom, dignity and the right of peoples to choose freely their system of government. He was also proud that Iraq had been one of the countries which had participated in the work of the Special Committee on decolonization from its inception.

2. There had been an increasing failure to respect the principle of self-determination of peoples. Direct and indirect military intervention, the threat of force, political and economic pressure and interference in internal affairs had a direct impact on the right of some peoples, including Iraq, to self-determination. The direct military intervention in the north of Iraq constituted a threat to territorial integrity, sovereignty and regional security. A direct consequence of that interference had been the loss of government authority over that region, which had become the scene of bloody battles and repeated foreign military intervention. Inconsistent arguments had been used in an attempt to justify the civilian deaths and injuries caused by the 1992, 1993 and 1996 bombings. The United States continued its efforts to interfere in the internal affairs of Iraq. It had provided millions of dollars of support to the Iraqi opposition, and its insistence on maintaining the total embargo against the people of Iraq, although that country had met its international obligations, was a clear violation of the right of the Iraqi people to dispose of their natural resources, a right which was enshrined in article 1, paragraph 2, of the two international covenants on human rights. The right to self-determination was an essential prerequisite for guaranteeing respect for human rights. To that end, the international community must oppose vigorously any action which sought to ignore those rights or to interpret them selectively.

3. **Ms. Syahruddin** (Indonesia) said that racism and racial discrimination stood in stark opposition to the principles on which the United Nations had been founded; such intolerance denied the premise of the equality of peoples and posed a threat to peace and security within and between nations. It was therefore discouraging that despite the international community's efforts to combat that problem racism and racial discrimination continued to exist throughout the world. In view of the persistence and worsening of that situation and of the use of new communication technologies for racist purposes, she welcomed initiatives such as the organization of a seminar on the role of the Internet in that regard, held at Geneva in November 1997. She also noted the establishment by the Office of the High Commissioner for Human Rights of a racism project team as part of its initial efforts to coordinate all activities under the Third Decade to Combat Racism and Racial Discrimination.

4. As part of its continued efforts to achieve the goals of the Third Decade, her country had undertaken the process of becoming a State party to the International Convention on the Elimination of All Forms of Racial Discrimination, which was an integral part of its National Plan of Action on Human Rights 1998–2003. In addition, the President of Indonesia had issued Presidential Instruction No. 26, the purpose of which was to eliminate all terminology identifying the origin of any Indonesian citizen from all government plans and activities, to review all applicable policies, programmes and activities and to instruct government ministries to provide guidance to the public and private sectors and to society at large in that regard.

5. With regard to the alleged events of May 1998, her Government strongly condemned any illegal acts and had established an independent task force to gather evidence and undertake an open, transparent investigation of the events, in which it was ready to cooperate with the intelligence agencies of other countries. That task force, led by the Vice-Chairman of the National Commission on Human Rights, included representatives of law enforcement authorities and prominent members of non-governmental organizations. Furthermore, in July 1998, a team composed entirely of women had been established to protect women against violence. As a multi-ethnic society, Indonesia could not tolerate any form of racism or racial discrimination, and as a moral and just society it would not do so. In that context, her Government looked forward to working with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance in

addressing its national situation and welcomed his plans to visit the country in the near future. She urged all States to cooperate with the Special Rapporteur and to ensure that that support was reflected in the areas of legislation, administration and education.

6. The holding of a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance provided an opportunity for consideration of the progress achieved by the international community in that area and of the obstacles still to be faced. It would also provide a reminder of the rise in all forms of intolerance throughout the world. However, that Conference should not be merely an occasion for establishing what needed to be done, but also for the mobilization of international support to guarantee that the United Nations had the financial and other resources which it needed in order to carry out its activities. She noted the constant problem that the expressed intention to combat racism and racial discrimination was not accompanied by the means to accomplish that task. Her delegation looked forward to studying the Office of the High Commissioner's recommendations on the Conference and welcomed the fact that the Commission on Human Rights had decided to establish an open-ended working group which would meet during the fifty-fifth session of the Commission in order to review and formulate proposals which the Commission could then send to the preparatory committee for the Conference at its first session. A date and place for the Conference should be decided upon as quickly as possible so that it could focus on the adoption of measures to eliminate such forms of intolerance.

7. **Mr. Gold** (Israel) said his country would be the last to object to the right of self-determination, but that right needed to be seen in a political and strategic context. Israel and the Palestinians needed a political context of cooperative peacemaking based on direct negotiations. That had been the key to all diplomatic successes in the Middle East, including the Wye River Memorandum, which had been structured in three specific ways to give new life to the peace process and the ultimate reconciliation between Palestinians and Israelis. First, that agreement had been built on the principle of reciprocity and the gradual promotion of trust by requiring each side to fulfil its respective obligations to the other before moving to the next stage. Second, the agreement had been based on strong security provisions, without which peace could not endure. It entailed a continuous and constant struggle against terrorism through effective Israeli-Palestinian cooperation, the continuous exchange of information, concepts and actions, and the elimination of an environment that supported terrorism, including incitement to violence in government-controlled media. Third, the agreement had established that the Palestinian National Council would once and for all nullify the clauses of the Palestinian Liberation Organization Charter that called for Israel's destruction. No other action could more concretely confirm for the Palestinians that the time for armed struggle had passed and that the era of coexistence and cooperation had begun. On the basis of their experience with those interim issues, the political context for all discussion of the final peace settlement lay in direct negotiations between Israel and the Palestinians.

8. With regard to the strategic context, he noted that since 1948 the Palestinians had received the collective backing of the Arab States, while Israel had stood alone, and that while Israel had achieved peace with Egypt and Jordan, the situation along its eastern front remained unstable. Iraq had used Jordan and Syria as platforms to deploy a third of its ground forces against Israel in 1948, 1967 and 1973. Any permanent agreement between Israel and the Palestinians had to take account of Israel's legitimate need to defend itself against possible mobilizations along its eastern front. Nevertheless, Israel remained convinced that it could find a formula that would satisfy the aspirations of the Palestinians while also providing Israel with defensible borders.

9. However, the commitment of both sides to keeping the process strictly in the context of direct negotiations was threatened by attempts on the part of the Palestinian Liberation Organization to advance resolutions in United Nations bodies on issues that were to be negotiated exclusively between Israel and the Palestinians. Draft resolutions relating to the Palestinians' right of self-determination undermined the peace process and contradicted the principle of direct negotiations established at the 1991 Madrid Peace Conference. Such draft resolutions ignored the necessity of cooperating and of discarding the sterile political language of the past, as well as of building a secure peace in a regional strategic context. For that reason, Israel would vote against any such initiatives and called on all Member States to do the same.

10. **Mr. Chirinciuc** (Moldova) said that the elimination of racism and racial discrimination was closely linked to the achievement of the basic goals of the United Nations, and that the ratification by Member States of the International Convention on the Elimination of All Forms of Racial Discrimination and other international human rights instruments was of paramount importance. Moldova supported the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination as well as the work of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and intolerance.

Moreover, it shared the views expressed by the representative of Austria on behalf of the European Union and associated States, and would support the proposal of the Council Of Europe to organize a European conference on racism, as well as that of the High Commissioner for Human Rights with regard to the next world conference on racism and racial discrimination.

11. There was a link between the right of self-determination and respect for the freedoms of opinion and expression, the right of peaceful assembly, freedom of association, and the right of citizens to participate in government. The Republic of Moldova had progressed towards the democratization of socio-political life, and its new legislative and institutional framework protected the human rights of all its citizens, including those of ethnic, linguistic and religious minorities. However, the right of peoples to self-determination was also closely related to other basic principles of international law, particularly those of territorial integrity and national sovereignty. In the Vienna Declaration and Programme of Action, the World Conference on Human Rights stressed that the right of peoples to self-determination did not authorize them to impair the territorial integrity or sovereignty of States that respected the principle of equal rights and possessed a Government representing the entire population. Thus the claim based on that right by certain political groups attempting in the eastern part of the country to destabilize and dismember the sovereign State of the Republic of Moldova was inadmissible. The political will to resolve the conflict by peaceful means in cooperation with the Organization for Security and Cooperation in Europe (OSCE) had run into opposition from the anti-constitutional authorities of the separatist region, whose intransigent and highly politicized position was making it impossible to find a legal definition of the status of that region that would be acceptable to both sides. In the view of the Government of the Republic of Moldova, the separatism arising in some new States was completely unrelated to the right of peoples to self-determination, and to interpret that right as the right of an ethnic group to set up its own Government posed a threat to regional and international security. A more precise definition of the right of self-determination was needed in order to avoid arbitrary interpretations.

12. **Ms. Devi** (India) noted that, with the dismantling of apartheid in South Africa, new, more subtle forms of racism had emerged, as manifested by pseudo-scientific theories about racial inequality; restrictive or discriminatory immigration practices; political parties openly espousing racist ideologies; and atrocities committed by the police and even by United Nations peacekeeping forces. The General Assembly had therefore decided to convene a world conference on racism, racial discrimination, xenophobia and related intolerance not later than the year 2001. Non-governmental organizations active in countering racism and scholars who had studied the problem in depth could play an important role in the success of that conference. Women's groups could also make a valuable contribution since women were often discriminated against on the grounds of both race and gender. There were many forms of discrimination which exhibited characteristics typical of racist discourse but they were different phenomena and should not be confused. Otherwise there was a danger that attention would be diverted from the real problem, which continued to be discrimination, exploitation, exclusion or domination — political, economic and cultural — based on racial attributes, which affected all areas of the world equally. Other important issues for the conference would be the relationship between race, globalization and immigration, and whether racist propaganda should be considered an opinion or an offence. The latter merited particular attention, for the expression of racist views often led to outbursts of racial violence, as illustrated by the role played by hate radio in the genocide in Rwanda. Steps must be taken to prevent racist ideologies from reaching a critical mass where they transcend the expression of an opinion and become a violation of human rights. The growing acceptance of certain overly racist political formations was disturbing and the conference should propose political strategies to counteract such developments.

13. Her delegation was concerned at the insufficient level of contributions to the Trust Fund for the Programme of the Decade for Action to Combat Racism and Racial Discrimination, and proposed that resources for the Programme be allocated from the regular budget. It appealed to Member States which had not yet done so to consider making a generous contribution. Her delegation also supported the request from the Committee on the Elimination of Racial Discrimination that some of its annual meetings be held at Headquarters in order to facilitate participation by States parties to the Convention on the Elimination of All Forms of Racial Discrimination which did not have representation in Geneva. It was concerned that, as a result of the elections held that year, the Committee no longer included any members from States in sub-Saharan Africa; that was contrary to the spirit of article 8, paragraph 1 of the Convention.

14. As a country which had achieved its independence through a non-violent struggle in the exercise of its right to self-determination, India had always supported the exercise of that right by peoples under colonial or alien domination,

as provided for in the Declaration on the Granting of Independence to Colonial Countries and Peoples, and it continued to support the just struggle of the Palestinian people for its right to self-determination. In the post-colonial era, that right was the right of people to freely determine their political, economic and social development within their national boundaries. The institutions of democracy enabled people to determine their own future; that was particularly true in multi-ethnic, pluralist societies. The Vienna Declaration made it amply clear that self-determination was not to be construed as authorizing any action that would dismember the territorial integrity or political unity of an independent and sovereign State. Taken out of context, self-determination could be used to encourage secession, terrorism and violence, and to destroy peaceful coexistence, tolerance, mutual respect, unity and secularism. The unstable aftermath of the cold war had been seen by some States as an opportunity for territorial aggrandizement. Self-determination must not be distorted and interpreted as including the right of any ethnic group to proclaim its independence or join another State. Extremist movements undermined the potential for democratic development in non-democratic countries and threatened the foundations of democracy in democratic ones.

15. Increasingly, mercenaries were participating in armed conflicts, terrorist acts and other criminal activities. Her delegation welcomed the Special Rapporteur's latest report on the use of mercenaries as a contribution to the Committee's understanding of the diversification and transformation of that phenomenon and the resulting serious implications for the sovereignty and responsibilities of States; her delegation supported efforts to plug the gaps in legislation on the issue. It also urged the Special Rapporteur to look at situations in which mercenary activity of a strictly contractual nature was mixed with religious or ideological motivation, giving rise to what might be called "paid volunteers" who threatened the principle of self-determination and the territorial integrity of independent sovereign States through terrorism or aggression for purposes of territorial aggrandizement, as had been seen in the recent tragic bombings in Nairobi and Dar es Salaam.

16. **Mr. Tekle** (Eritrea) said that his Government was fully committed to the elimination of all forms of racism, racial discrimination and intolerance. In Eritrea nine nationalities which had fought together against the colonial yoke for a double objective — self-determination and the elimination of discrimination based on race, ethnic origin, gender or religion — were living in harmony in Eritrea. All foreign visitors could attest to the fact that Eritreans were tolerant towards their erstwhile colonizers, whether Italian or Ethiopian. In Eritrea, foreign nationals, whatever their origin, were treated justly, in accordance with the law and their human rights were respected; there had not been a single incident involving ethnic or national minorities in the seven years since independence.

17. It was, therefore, sad to note that Eritreans had fallen victim to a venomous propaganda campaign waged by the Government of Ethiopia since the beginning of the border dispute between the two countries in May; the Ethiopian Government was using ethnicity for its own expansionist ambitions, to rally the people behind its aggression and to cover up its continuing human rights violations. During the past six months the various organs of the media had been disseminating rabid invectives against the Government and people of Eritrea; officials of foreign embassies in Addis Ababa could attest to that. The propaganda campaign was based on cultural stereotypes deliberately fabricated in order to create animosity towards Eritrea and Ethiopians of Eritrean origin; Eritreans were accused of being chauvinistic, belligerent and anti-Ethiopian; Eritrean leaders were vilified in the most vulgar manner; the Government was accused of fictitious crimes, the aim being to incite the Ethiopian people against Eritreans with a view to involving them in violent ethnic cleansing. In all civilized countries inciting hatred on the basis of race, religion, nationality or ethnic origin was considered a crime. The Ethiopian Government, however, was deporting people of Eritrean origin, violating their human rights and causing them to live in an atmosphere of terror, insecurity and despair. At the same time, a distinction must be drawn between the Ethiopian Government and its representatives, and the Ethiopian people. Many compassionate and law-abiding Ethiopians had extended a helping hand to Eritreans. By contrast, the Government of Eritrea treated Ethiopians living in Eritrea with the utmost respect. Indeed, on 26 June 1998, the National Assembly had issued a statement guaranteeing their right to live and work in Eritrea. The difference between that official and public appeal for decency, lawfulness and morality, on the one hand, and the xenophobic messages constantly being spewed forth by the official Ethiopian media and Government press releases was clear. Ethnic hatred in all its forms must be eliminated if moral values and legal norms were not to succumb to barbarity. He therefore called on the Committee to condemn Ethiopia for its advocacy of ethnic hatred which had preceded its aggression and its systematic violations of human rights.

18. **Mr. Sticker** (France) drew attention to a number of incorrect or incomplete statements concerning his country in paragraphs 31 and 32 of the report on contemporary forms of racism, racial discrimination, xenophobia and related

intolerance (A/53/269), prepared by the Special Rapporteur of the Commission on Human Rights. The issue of undocumented aliens was not a symptom of racism or racial discrimination, but was related to the immigration laws. The many applications for asylum were considered under the supervision of the judicial authorities. France had been implementing the right to asylum for more than two centuries and had recently broadened the scope of its legislation in that area to respond more appropriately to different situations. The law of 11 May 1998 had extended political refugee status to persons who fought for freedom and to those whose life or liberty were in danger or who ran the risk of suffering inhuman or degrading treatment. However, there were many illegal immigrants who did not enjoy that status. Out of regard for their emotional and family circumstances, the French authorities had regularized the status of more than 70,000 people in recent months, and a number of cases were currently under review in the appeals process. The fact that only a small proportion of the applications submitted had not received favourable decisions illustrated the liberal nature of French practice in that regard.

19. France was aware of its multiracial and multi-ethnic character. More than one fourth of its population were of foreign descent, and nearly five per cent were foreign nationals. For more than two centuries, French law had severely punished any discrimination based on those grounds. For example, any person, regardless of his or her origin, could take advantage of social security benefits as long as he or she was legally present in France. That information contrasted with the information in the report, which was based on a summary reading of a survey which, in turn, contained contradictory data. The report referred to another survey indicating that the proposal to regularize the status of undocumented aliens had been endorsed by 53 per cent of those surveyed, yet that figure was completely unrelated to the figures from the other survey. The study was unsystematic and poorly documented, and should have paid more attention to the steps taken or envisaged by the French authorities to combat contemporary forms of racism and racial discrimination. France regularly contributed to United Nations activities in the field of human rights and valued the function of the special rapporteurs, whose inputs should promote accuracy and objectivity.

20. **Mr. Al-Hariri** (Syrian Arab Republic) said that his country had always supported the struggle of peoples under alien domination for self-determination and freedom, in accordance with the resolutions of United Nations bodies, especially General Assembly resolution 1514 (XV) of 14 December 1960, as well as those of the Movement of Non-Aligned Countries. Colonialism imposed great sacrifices on such nations by robbing them of their resources and subjecting them to numerous restrictions in order to prevent their liberation. That situation could not be tolerated, since the right to self-determination was inalienable and peoples would continue to fight for it. Despite the great achievements of the United Nations in that area and the many resolutions on the question of Palestine, the Palestinian people had not yet been able to exercise its right to self-determination because of Israel's policy of expansionism, its flagrant violation of the Charter of the United Nations and its disregard for the will of the international community. For half a century, refugees had aspired to return to the homes from which the occupation forces had driven them by means of weapons, terrorism and massacres, contrary to all provisions of international law and human rights.

21. Israel continued its practice of building colonial settlements and was carrying out a systematic policy aimed at changing the demographic composition of the occupied Arab territories by bringing Jewish settlers into the areas from which Palestinians had been displaced. Under the occupation, Israel imposed its legislation on the Arabs and prevented them from exercising their rights under the International Bill of Human Rights, international law and the Geneva Conventions, as well as their right to self-determination in their own territory. Israel must renounce its policies of oppression, stop building settlements and occupying Arab territories, and recognize forthwith the right of the Palestinian people to self-determination, without resorting to blackmail or to any of its feeble pretexts, which were intended solely to prolong the occupation and would expose the region and the world to grave risks.

22. The people of the Syrian Arab Republic held deeply rooted values of civilization, culture, cooperation, religious tolerance and the need to combat racism and racial discrimination. The Syrian Arab Republic had been one of the first States to accede to conventions against racial discrimination and other international conventions on related issues. Consequently, discrimination or restrictions based on religion, race or ethnic or national origin had no place in the Syrian Arab Republic. Concerted action in the framework of the United Nations was needed to eliminate all forms of racial discrimination, and collective efforts must be redoubled to ensure that peoples could exercise their right to self-determination, which would help to strengthen and protect human rights and to achieve the noble objective to which all peoples aspired: a peaceful, secure and stable future.

23. **Mr. Hadjiargyrou** (Cyprus), after associating himself with the statement made by the representative of Austria on

behalf of the European Union, said that, despite undeniable achievements in the struggle against racism and racial discrimination, most notably the elimination of apartheid, much remained to be done. Demonstrations of racial hatred and intolerance against minorities and other vulnerable groups on the grounds of their racial, national, ethnic, religious or tribal origin had become commonplace. Cyprus, which was a victim of the manipulation of one of its ethnic communities by external interference, as well as of the repugnant practice of ethnic cleansing, was well aware of the cost of inaction for both individuals and sovereign States. Although the consensus that had led the United Nations to proclaim the Third Decade to Combat Racism and Racial Discrimination had resulted in many positive developments, recent events and the resurgence of racial prejudice, racism and xenophobia, even in cultures and States which supposedly were beyond that stage, clearly indicated the need to intensify national and international efforts to combat those phenomena. In that connection, he welcomed the convening of a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance not later than the year 2001. At the threshold of the third millennium, the plight of refugees, the protection of minorities, the situation of immigrants, the prevention of feelings of racial superiority and the protection of indigenous populations were important factors in keeping the international community united.

24. Cyprus had been one of the first States to ratify the International Convention on the Elimination of All Forms of Racial Discrimination and one of the 25 States that had made the declaration under article 14 of the Convention, thereby recognizing the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals claiming to be victims of a violation by a State party. Moreover, Cyprus had ratified the amendment to article 8, paragraph 6, of the Convention, and in 1997 had submitted its fourteenth periodic report to the Committee. In compliance with the Committee's recommendations, Cyprus had reviewed and amended its legal framework for the protection of the rights of refugees and displaced persons regardless of their ethnic origin, as well as its procedure for granting Cypriot citizenship. It had established various institutions to facilitate the implementation of the Convention and had strengthened its channels of cooperation with non-governmental organizations. In the field of education, which was the most important means of eliminating indirect and structural forms of racial discrimination, Cyprus had reinforced academic curricula and had instituted programmes on human rights with a view to promoting the spirit of tolerance, acceptance and cooperation. Special attention was paid to educational programmes for children belonging to minority groups, through a system of subsidies to help meet their particular needs. The country had also established language programmes for the children of immigrants and training programmes for civil servants on the provisions of the Convention. Information campaigns were being launched to enhance public awareness of the Convention and of available legal and administrative remedies.

25. Nevertheless, his Government could not enforce the provisions of the Convention in the entire territory. In document A/53/18, the Committee on the Elimination of Racial Discrimination had expressed its grave concern at the lengthy occupation of 37 per cent of the territory of Cyprus by Turkish forces and the continued division of the country, and that the Government was still prevented, by the use of force, from implementing the provisions of the Convention in the occupied part of the country since the invasion of 1974. The Committee had further stated that the continuing artificial division of the country had adversely affected efforts to reduce tension among the various ethnic and religious communities which comprised the population. The Committee had also expressed its concern at the insufficient information on the demographic composition of the occupied part of Cyprus, due to the fact that the State party was still prevented by the Turkish army from undertaking any census or other relevant data collection on the whole of the territory of the Republic of Cyprus.

26. **Ms. Belhaj** (Tunisia), referring to the resurgence of racism, racial discrimination, xenophobia and related contemporary forms of intolerance, emphasized the dangers and threats involved in the proliferation of extremist ideologies, the basic doctrine of which was hatred of foreigners and the persecution of ethnic, national or religious minorities, and which advocated racial or ethnic purity. Immigrants were becoming an easy target for such extremist rhetoric in the host countries. Outbursts of that type had proliferated throughout the world, and Africa was no exception. In recent years, there had been numerous acts of ethnic violence in some regions of the continent which had driven entire populations to seek refuge in neighbouring countries, thus generating new and even more complex problems. Mention should be made in that regard of the appeal by Mr. Zine El Abidine Ben Ali, President of Tunisia, for the utilization of Africa's age-old wisdom in the search for peaceful solutions to such conflicts. It must not be forgotten that an essential aspect of the solution was the economic and social development of the regions concerned.

27. The role played by the United Nations in the promotion of people's rights had earned it the admiration of the international community. The General Assembly should continue to address the question of the inalienable rights of the Palestinian people until its legitimate goals had been realized, in particular, the establishment of an independent State in its own national territory with Jerusalem as its capital.

28. Her country, which had been among the first to ratify the International Convention on the Elimination of All Forms of Racial Discrimination in January 1967, was committed to eliminating all forms of extremism and intolerance. Her Government had organized seminars and international conferences as part of its efforts to mark the United Nations Year for Tolerance, and was promoting human rights education within school curricula, so as to ensure that such values were firmly instilled among the new generation. The General Assembly was to be commended for its decision to hold a world conference against racism, racial discrimination, xenophobia and related forms of intolerance by 2001 at the latest. There was a need to establish an early warning procedure in order to prevent problems from becoming conflicts. Her delegation also welcomed the recommendation of the Special Rapporteur of the Commission on Human Rights that expert meetings should be promoted at the regional and subregional levels as part of the preparations for the Conference.

29. **Mr. Goonetilleke** (Sri Lanka) said that in its resolution 52/113 the General Assembly had, *inter alia*, requested the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation. The fact that there were still 17 Non-Self-Governing Territories in the world which could not fully exercise their right to self-determination was a sign that colonialism and its vestiges were not entirely a thing of the past. The United Nations had the responsibility to assist the peoples of those territories to achieve their inalienable right to self-determination; moreover, there was an intrinsic relationship between violations of that right and violations of human rights.

30. All peoples had the right to decide on their political and social systems, their economic models and their own paths to development without outside interference. Violations of the right to self-determination could also occur within a State. The Vienna Declaration and Programme of Action had reaffirmed the principle that all peoples, not only those under colonial domination, had the right to self-determination. Accordingly, the problem would not end when all non-self-governing territories had become sovereign and independent States. The enjoyment of that right and the strengthening of democracy required that peoples should participate in free and fair elections at regular intervals and should have freedom of expression and association. While States were responsible for holding free and fair elections, ruling parties were required to respect the verdict of the electorate and to permit the transfer of power. Moreover, recognized political parties or other entities should not resort to violence or sabotage in order to prevent the people's mandate from being carried out. Meanwhile, in cases where the right to self-determination was violated, whether in the context of colonial domination, foreign aggression or repressive regimes, the Vienna Declaration and Programme of Action recognized the right of peoples to take legitimate action, in accordance with the Charter of the United Nations, to realize their inalienable right; such action, however, excluded indiscriminate attacks on civilian life and property and other acts of terrorism causing destruction and death. The right to self-determination should not be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States. The Vienna Declaration and Programme of Action laid down rules for peoples struggling for self-determination and also referred to the responsibilities of governments. The position was clear: peaceful struggle was the only way to achieve self-determination.

31. The recent demands for self-determination by ethnic groups living within independent and sovereign States had become common in the recent past. Such unfounded demands not only had the potential to destabilize and dismember sovereign and independent States, but could also adversely affect international peace and security. All States, particularly small and vulnerable States, could be adversely affected in a world plagued by ethnic wars waged with separatist aims, in which the free flow of weapons, funded by interested parties, promoted violence and terrorism. In that regard, the responsibility of third parties to help such States by, *inter alia*, cutting off the flow of funds, tightening laws to prevent the illicit transfer of weapons to rebel movements and terrorist groups and preventing their territories from being used for propaganda purposes, could not be overemphasized.

32. **Mr. Mangaya Yange** (Democratic Republic of the Congo), having associated himself with the statement made by Angola on behalf of the countries members of the Southern African Development Community on the report of the Committee on the Elimination of Racial Discrimination, referred to two decisions adopted by that Committee at its

most recent sessions that his Government regarded as lacking objectivity. He said he would comment only on the misinterpretation of the status of the application and implementation of the Convention in his country, while reserving the right to make constructive criticism when item 110, concerning human rights, was considered.

33. It was becoming increasingly obvious that the many analyses conducted in certain international forums of the situation in Congolese territory were so tendentious as to make the victim into the accused, since they inferred that the crimes of genocide, extermination and ethnic cleansing systematically perpetrated in the territory of another country had been perpetrated in Congolese territory. The protection of human rights was one of the chief concerns of the Democratic Republic of the Congo, which had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination and had undertaken to provide equal protection for the 450 tribes that made up the Congolese nation, as well as for the foreign minorities that had for whatever reason decided to make his country their second homeland. Never in the country's entire history had tribes banded together against another ethnic or other group in order to exterminate such a group. Even during the colonial era, the particular ethnic group that now regarded itself as persecuted but which had not even existed then as a recognized administrative entity in the territory had been protected by the national and provincial authorities that it was now reviling. That ethnic group, which had been transplanted by colonial fiat and forced to retain its original nationality — as confirmed by historical documents — continued to enjoy the security, protection and well-being ensured by the host country, also after that State had gained national and international sovereignty. As a result of the atrocities committed by the new authorities in the country of that ethnic group, many people had fled to Congolese territory, where they had found refuge. Nobody had ever troubled them and they had stayed there for 30 years without making any attempt to be naturalized; in 1994 a large number of the members of that ethnic group had decided of their own free will to return to their villages, after having looted their hosts' food storehouses and livestock.

34. Decision 1 (52) of the Committee on the Elimination of Racial Discrimination recommended that the mandate of the International Criminal Tribunal in Arusha should be extended to include jurisdiction over war crimes and crimes against humanity committed during the war in the Democratic Republic of the Congo. There was reason, under public international law, to call into question that decision to extend the mandate of a tribunal set up for specific purposes and with a specific jurisdiction to include jurisdiction in another sovereign State to which no reference had been made at the time when that tribunal had been set up. That recommendation of the Committee on the Elimination of Racial Discrimination was not in keeping with the statement made by the President of the Security Council on 13 July 1998 (S/PRST/1998/20) following consideration of the report of the Investigative Team on the alleged massacres of Rwandans in Congolese territory. That statement called on his Government to investigate the allegations and try any of its nationals who were guilty of or implicated in the alleged massacres. The Security Council had made a similar recommendation to the Government of Rwanda. His country planned to submit very soon to the Secretary-General its initial report on the alleged massacres of Rwandan refugees in its territory. It would be helpful if the Committee on the Elimination of Racial Discrimination were to indicate to his Government the specific period during which the crimes in question were said to have been committed. With regard to decision 4 (53), his delegation wished once again to express its surprise at the rather hasty manner in which that decision had been adopted, particularly because in its paragraph 1 that Committee unhesitatingly described the violations allegedly committed in his country as acts of genocide, without actually knowing what the source of the information on the massacres was.

35. In order to contribute to the observance and application of the International Convention on the Elimination of All Forms of Racial Discrimination, the Security Council should take as a basis the spirit of the conclusions and recommendations set out in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871–S/1998/318); the torturers and other individuals responsible for the extermination of over 1 million Rwandan refugees in Congolese territory should be tried and punished for their crimes against humanity; seminars should be held without delay on refugee flows triggered by ethnic conflicts and by political reorganization processes and on their links to racism in host countries; regional seminars should be held in the Great Lakes region on nationalism, ethno-nationalism and human rights; and the United Nations system should provide his Government with assistance in reforming and restructuring its judicial system so that the Security Council's recommendation could be implemented.

36. **Mr. Soon Guan** (Singapore) said that contemporary forms of racism, racial discrimination, xenophobia and related intolerance, as well as the misuse of modern communication technologies in disseminating racist ideology, had added to the difficulties involved in achieving

the goal of eliminating such practices; the United Nations was to be applauded for its efforts in that connection over the past 50 years. Singapore was a multi-ethnic society and an international city where people of different races and with different cultures lived and worked together in harmony, making a valuable contribution towards its social cohesion and economic vitality. Racial harmony in his country was being maintained by means of a policy of multilingualism, multiculturalism and religious pluralism: his country did not attempt to create a nation based on one language, one culture or one religion. Each ethnic group was free to learn its own language in schools, practice its own religious beliefs and foster its own culture. On the basis of the principle of meritocracy, every Singaporean, regardless of race or religion, had equal rights and opportunities in society. Singaporeans had access to a whole range of social benefits and facilities in the areas of housing, health care, education and training. Moreover, self-help groups provided community support and all forms of assistance to needy people; the services thus provided included financial assistance to needy families, free tuition for young students, and employment assistance to adults who had been retrenched and were facing difficulties in securing new employment.

37. In addition to treating every individual equally, Singapore believed that it was essential to create the appropriate conditions so that every citizen could fully develop his potential and contribute to the country's economic vitality. The Government was putting into place a system of life-long learning in which everyone would be able to develop his capabilities in order to progress in society and add ever greater value to the economy. Singapore also acknowledged the values and talents of other countries, regardless of their race or ethnicity. As a result of rapid globalization, driven by progress in transportation and communications technologies, people's mobility had increased tremendously. At that international level Singapore also applied the principle of respect and recognition for the abilities of all individuals, whatever their race.

38. No matter how successful Singapore had been in its ethnic and language policies, minority groups still had problems and concerns. His delegation therefore welcomed the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance no later than the year 2001, and was ready to share with other States at the Conference its experience in building a society in which racism and racial discrimination were increasingly rare. That Conference would contribute to better understanding of a major global issue which would remain relevant for the next millennium.

39. **Mr. Bhatti** (Pakistan) said that one of the most rewarding outcomes of the international community's effort to combat racism had been the dismantling of the system of apartheid by the people of South Africa under the leadership of President Nelson Mandela. New manifestations of racism, racial discrimination, xenophobia and related intolerance nevertheless continued to arise in various regions of the world, affecting minorities, refugees, asylum seekers and migrant workers.

40. The fight against new forms of racism and racial discrimination required concerted efforts at both the national and international levels. In particular, youth, professionals and other sectors of society must be made aware of the socio-economic costs of racism and racial discrimination, which impeded social cohesion and adversely affected the development of countries. Human rights education must be an important part of school curricula. Laws must also be enacted, and strictly applied, to combat racist incidents and prevent the propagation of racist ideologies in societies. He expressed concern at the use of networks on the Internet to propagate racial hatred and would support any intergovernmental process aimed at developing a code of conduct for the use of the Internet, while fully respecting individual rights like freedom of speech.

41. At the international level, the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination must be more effectively implemented. Among the activities concerned, special importance had to be paid to the translation of the International Convention on the Elimination of All Forms of Racial Discrimination into local languages. It was essential that values of tolerance, understanding and coexistence should be inculcated in the general public, particularly youth, who were the preferred targets of racist propaganda. A World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance would provide the international community with an opportunity to adopt a programme to combat racism in the twenty-first century. He hoped that the entire United Nations system, non-governmental organizations and other relevant actors in civil society would actively contribute to the preparatory process for the Conference. Early universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination would show the international community's commitment to the fight against inequality and discrimination, and would enhance the ability of the Committee on the Elimination of Racial Discrimination to contribute more effectively to that struggle.

42. **Mr. Al-Rajhi** (Saudi Arabia) recalled that the principle of self-determination was a central tenet of the United Nations and was mentioned specifically in Chapters IX, XI and XII of the Charter. His delegation believed firmly in that right and rejected any violation of the Charter or resolutions of the General Assembly and the Security Council. With a view to achieving peace and security around the world, his delegation had supported the struggle of the Palestinian people to exercise their right to self-determination in their own territory and to establish their own State, and firmly rejected the attitude of the Government of Israel, which was preventing the Palestinian people from exercising their legitimate rights. His delegation had supported the peace process from the beginning and had participated in the Madrid Conference and the multilateral negotiations. After a first phase of optimism during which peace in the Middle East had seemed possible on the basis of the principles of international legality, United Nations resolutions and application of the principle of land for peace, the process had witnessed repeated setbacks caused by the current Israeli Government. That Government was continuing its policy of building settlements, demolishing houses and attacking unarmed people, in addition to trying to convert Jerusalem into a Jewish city by building colonies and confiscating Arab land. He urged the international community, governmental and non-governmental organizations and especially the United States to spare no effort in helping the Palestinian people to exercise their right to self-determination.

43. His delegation had also fully supported the Bosnian people in their struggle against the injustices which had prevented them from expressing their national identity, and had condemned the hateful policies of ethnic cleansing during the Serbian aggression. The Serbs were currently involved in new aggression against the peaceful people of Kosovo, where they were also applying a policy of ethnic cleansing and forced migration. The international community must assume its responsibility and take all steps necessary to put an end to that inhuman tragedy and save the Kosovar people from injustice and aggression. In that regard, he welcomed Security Council resolution 1203 (1998) concerning the solution to the Kosovo problem.

44. The conflict in Jammu and Kashmir had long represented a risk for peace and security in South Asia. He supported a peaceful and just solution based on United Nations resolutions. Those peoples must be guaranteed their right to self-determination.

45. **Ms. King** (United States of America) said that her country had fought to become a nation where equality reigned; in so doing, it had had to deal with slavery, racism, intolerance and xenophobia against natives and immigrants. Following centuries of struggle against racism, it had become a multicultural country in which no one was judged according to race, beliefs or religion, but only on personal qualities. That progress nevertheless needed to be reinforced. In 1997, President Clinton had launched an initiative aimed at promoting a nationwide dialogue on the race issue, which set out a strategy with the following five objectives: to build a fair and united country on the basis of reconciliation among races; to ensure that the American people received full education on the question of racism; to promote a nationwide constructive dialogue on the entire issue of race; to strengthen leadership at all levels with a view to eliminating the racial divisions which still existed in the country; and to find solutions to racial problems in basic areas such as education, economic opportunity, housing, etc.

46. The United States trusted that a world conference on racism would contribute to the global dialogue on race. Often, racism was at the root of terrorism, genocide, economic injustice and political oppression. At a time of unprecedented population growth, when resource management and preservation had become more essential than ever before, racism must not be allowed to obfuscate reciprocal relations. It was therefore important to ensure that the delegations attending the Conference could return to their countries with concrete results to report.

47. **Mr. García González** (El Salvador) said that he appreciated the report of the Special Rapporteur on the question of the use of mercenaries and that he fully shared the international community's concern about the alarming rise in mercenarism and its increasing links to other phenomena that were equally dangerous to international peace and security, such as terrorism, arms trafficking, covert operations to protect the interests of third parties or violence linked to extremist intolerance. He also shared the Special Rapporteur's view that mercenary activity arose in situations which violated the self-determination of peoples and the sovereignty of States.

48. El Salvador had experienced the problem of mercenarism and similar crimes motivated by financial gain, and was making strenuous efforts to combat them by strengthening its institutions and finances and by training the National Civil Police. It had promoted reforms of the judicial system to reinforce the principle of justice as one of the basic pillars of democratic coexistence, peace and freedom, including the adoption of the new Criminal Code, Code of Criminal Procedure and Family Code, and of the Penitentiary Act, Family Procedure Act and Juvenile Offenders Act. As a sovereign State that recognized the human being as the origin and purpose of the State's activity, El Salvador undertook to ensure that its inhabitants enjoyed

freedom, health, culture, economic well-being and social justice by respecting and promoting the fundamental principles of its Constitution and of international law.

49. At the Central American level, El Salvador had faithfully honoured the commitment made in the framework of Esquipulas II to prevent the use of its own territory by persons, organizations or groups seeking to destabilize other States and to refuse to provide them with or allow them to receive military and logistical support, and had strengthened that commitment in various regional legal instruments, such as the Treaty on Democratic Security in Central America. At the international level, El Salvador had co-sponsored and cooperated in important resolutions on the subject adopted by the United Nations General Assembly and the Commission on Human Rights, including resolution 52/112 of 12 December 1997.

50. El Salvador reiterated its firm commitment to combating illicit activities such as mercenarism, arms trafficking, drug trafficking and similar criminal activities perpetrated by individuals or groups which, using their expertise and experience in war, profited from illicit activities both within and outside the national territory. It also condemned all acts of terrorism, particularly those deriving from mercenary actions that clearly violated human rights, the self-determination of peoples or the stability of legitimate Governments, and expressed its political will to contribute to the research being done by the international community with a view to eradicating those phenomena, which jeopardized international peace and security.

51. **Mr. Al-Hariri** (Syrian Arab Republic), speaking in exercise of the right of reply, said that it was not true that his country had committed acts of aggression against Israel. On the contrary, it had had to defend itself against Israeli aggression on many occasions. After citing the example of the occupation of the Golan by Israeli forces using the most modern weapons and supported by certain countries, he recalled that, the preceding year, the same representative of Israel had repeated the same lies in relation to the same agenda item, in an attempt to justify Israel's aggression against Arab countries and its occupation of Arab territories in violation of the Palestinian people's right to self-determination.

52. **Ms. Barghouti** (Observer for Palestine), speaking in exercise of the right of reply, said that, although her delegation, the preceding day, had clearly presented its position on the right to self-determination, particularly in the case of the Palestinian people, she wished to clarify some points in reply to Israel. The Wye River Memorandum was intended to facilitate the implementation of certain provisions of the existing agreements between the parties that had not yet been implemented. The Memorandum dealt with the issues of further redeployments, security, interim committees and economic issues, permanent status and unilateral actions. Palestine hoped that that important agreement would be implemented fully, but regretted that the Prime Minister of Israel had postponed the Israeli Cabinet's vote on the issue, and hoped that that was not the pattern which Israel intended to follow in implementing the Memorandum, as in the case of previous agreements. The right of the Palestinian people to self-determination did not arise from any previous agreement, but was a natural right of a proud and ancient people that must be upheld by the international community. With respect to United Nations resolutions on Palestinian self-determination, the bilateral agreements between Israel and the Palestine Liberation Organization (PLO) could not and should not run counter to international law or to United Nations resolutions. The fact that the negotiations were without preconditions did not mean that Palestine should, at the outset, give up its position, its rights or the support of the international community. Palestine regretted that, despite the progress made, Israel had reiterated arguments that had not succeeded in the past and would not succeed at the current time.

53. **Ms. Sinegiorgis** (Ethiopia), speaking in exercise of the right of reply, said that Eritrea's accusations against her country were preposterous and absurd and that it was important to put things in perspective to avoid any ambiguity. By occupying part of Ethiopia's territory in May 1998, Eritrea had committed a clear violation of human rights and of the principle of self-determination, which implied the rejection of all forms of aggression, interference and foreign occupation. The population of northern Ethiopia was still suffering the consequences of Eritrea's aggression in May 1998. Currently, 140,000 persons had been displaced, and schools, health centres and other infrastructure had been destroyed. The Ethiopian Constitution guaranteed respect for the rights of different nationalities, and the Government had repeatedly stated that the hundreds of thousands of Eritreans residing in Ethiopia had a right to live and work in peace. It was perplexing that the representative of Eritrea had had the temerity to accuse Ethiopia of carrying out a campaign against his country, when the Eritrean Government was the sole author of that type of propaganda. With respect to the expulsion of Eritreans, the Ethiopian Government had exercised the utmost restraint and had only taken precautionary measures against individuals who spied for Eritrea and threatened Ethiopia's security.

54. **Mr. Tekle** (Eritrea), speaking in exercise of the right of reply, cited a number of statements made by members of the Ethiopian Government and other authorities, which accused the leaders and people of Eritrea of taking an arrogant and racist attitude towards Ethiopia. Those statements were part of a calculated attempt to instil hatred and incite the people to violence. He challenged the Ethiopian delegation to provide evidence of the statements supposedly made by the Eritrean leaders against the Ethiopian people.

55. **Ms. Sinegiorgis** (Ethiopia), replying to the delegation of Eritrea, said that the Ethiopian authorities had never insulted the Eritrean people and that the Eritrean delegation was accusing her Government of racism in order to distract the international community from Eritrea's aggression against Ethiopia. Since the inhabitants of Ethiopia represented 70 different nationalities, the accusation of racism was unfounded.

The meeting rose at 5.45 p.m.